

Sverdrup / DELTA

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Date: September 16, 2003

To: Federal Communications Commission (FCC)
Office of the Secretary
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Washington, DC 20554

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cc:

From: Lisa Gobble
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No. of pages including cover: 3

RE: CC Docket No. 02-6, Request for Review -- 471 Application Number 382534

To Whom It May Concern:

Attached is our request for review of an appeal to the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC).

Please feel free to contact me at (850) 897-6141 or via e-mail at lisa.gobble@titan.com. Thank you in advance for your careful consideration of this issue.

Lisa Gobble

Program Manager

RECEIVED & INSPECTED

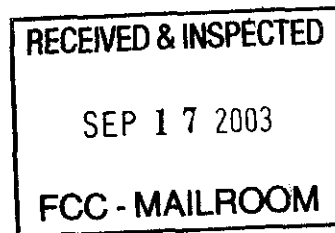
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September 15, 2003

FCC
Office of the Secretary
445 12th Street SW
Washington, DC 20554



Reference: **CC Docket No. 02-6, Request for Review**
Appeal of Funding Commitment Decision for 471 Application Number 382534

To Whom It May Concern:

As directed by the Schools & Libraries Division (SLD) of the Universal Service Administrative Company (USAC), the Okaloosa County School District (OCSD) submits to the FCC a request for review of "Administrator's Decision on Appeal - Funding Year 2003-2004" 471 Application Number (382534), for Okaloosa County School District, Billed Entity Number 127648.

This FCC appeal request follows a failed appeal to USAC that was submitted in accordance with the directions provided in the "Fund Year 2003 Form 471 Rejection Letter" dated February 13, 2003 from USAC. Okaloosa County responded to the rejection letter on March 10, 2003 with the proper appeal paperwork. Since we are aware of the amount of applications and appeals that SLD processes each year, we expected the process to be a long one. After five (5) months without formal notification on the status of the appeal, we began inquiring about the result. We were eventually "unofficially" notified that the appeal had been denied in a letter dated June 9, 2003 and a copy of the letter was faxed to us on September 10, 2003. Since we didn't officially receive the letter on its stated date, we were unable to process an appeal to the FCC within the allotted time frame. Since these circumstances were beyond our control, we respectfully request that you honor our request and review our justification for appeal. The USAC appeal was denied in full for the reason outlined below.

The decision, dated June 9, 2003, specified that the submitted FCC Form 471, *Services Ordered and Certification Form*, did not meet minimum processing standards because **"it did not include at least one complete Block 4 Worksheet relevant to the type of application selected in Block 1, Item 5."** The main issue centers on the NSLP eligible student data fields associated with two sites, Gulf Coast Assignment Center (210809) and Okaloosa Youth Academy (210811). Okaloosa County received no NSLP data from the state for these two (2) sites and therefore left the field blank instead of inserting the desired "0". This decision was made after reviewing the filing instructions wherein it states that a zero should be entered in this field if the facility is either "New School Construction" or an "Administrative Entity". Neither of these facilities is an "Administrative Entity" or "New School Construction". Furthermore, after reviewing the information required for the calculations made in Block 4, inserting either a zero or a blank in Item 5 (# of students eligible for NSLP) yields the same final Discount % in Item 7 (20%) and

does not change the final result of the calculation. Ultimately, inserting the requested "0" in place of the blank field would have not altered the final result and the eligible discount would have been the same for this funding year.

In past funding years the SLD Problem Resolution Team of the USAC has accepted FCC Form 471's (to include the Block 4 worksheet) with missing or incorrect information even though the Form did not meet the "Minimum Processing Standards". The SLD would then contact the sender and inform them of the errors and provide them with an opportunity to correct the noted problems. This has created an expectation by school districts that minor errors or omissions on the form(s) would not jeopardize their chances of receiving e-rate funding if the correct information were provided, upon request, to the Problem Resolution Team within the designated 7-calendar day deadline. In this instance, the OCSD was not notified of any inconsistencies in the form that would delay its processing. The first indication of a problem was not given until the entire application was denied.

The Okaloosa County School District heavily utilizes the services covered by e-rate for their curriculum needs. E-rate funding is a critical element of budget that the District relies upon to continue to provide these services. As with all Districts in the State of Florida, Okaloosa County is facing many difficult budget related decisions that may require staffing reductions and/or deletion of extracurricular programs. These major adjustments are needed just to survive. Loss of e-rate funding would deal a critical financial blow to the District. This could result in an inability to provide the current level of educational excellence that has recently earned the Okaloosa County School District the number one ranking in the state.

We respectfully ask that you review our appeal and hope that you will agree that the magnitude of the error (data omission that would not change the outcome) does not outweigh the negative impact that the loss of e-rate would have on this high-performing District. Please feel free to contact me at the phone number or e-mail address listed below with any questions concerning this issue.

Sincerely,



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